REMARKS

Applicants respectfully request favorable reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 2-4 and 6-22 are pending. Claims 2-4, 9, and 12-22 are the independent claims.

Claims 2 and 18 have been amended only to place them in better form. No new matter has been added.

Claims 2-4, 6, and 9-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,493,692 to Theimar et al. All rejections are respectfully traversed.

Independent claim 2 recites, *inter alia*, "storing statuses of users" and "preparing a processing policy in which processes for communication requests are set for each of the users, the processes each in turn being according to a first user from whom there is a request for communication with a second user, to a status of the second user with whom communication is requested, and to a content of the requested communication, the processing policy including an attribute-assigning policy setting a relationship between the first user requesting communication and the second user". Independent claims 3, 4, 9, and 12-22 recite similar features.

Applicants respectfully submit that the asserted citation fails to teach or suggest at least the aforementioned features of independent claims 2-4, 9, and 12-22.

In rejecting claim 2, the Office Action contends that Theimar at col. 7, lines 1-16 and Fig. 3 teaches the "storing of statuses of users." Applicants, however, respectfully disagree.

Theimar teaches the storing of information directed to a user's physical context and environment, such as current location and a list of nearby users and devices. *See* Theimar at col. 9, lines 64-66. More specifically, Theimar describes a system in which actions are triggered based on the physical context of the user (e.g. what room they are in), and the available resources of that context (e.g. what computers are in the same room the user is in currently). *See* Theimar at col. 3, line 66 to col. 4, line 4. Delivery of content in Theimar may be selective, but delivery is based on the types of devices available to the user in their current physical location. *See* Theimar at col. 25, lines 17-26 and col. 4, lines 13-24. Thus, the status of a user, as taught in Theimar, is directed to a physical status. In the claimed invention, in contrast, the status is directed toward psychological and physical states. *See* Specification, para. [0008].

Secondly, in rejecting claim 2, the Office Action cites to various passages in Theimar, including col. 10, line 67 – col. 11, line 6; col. 14, line 43 – col. 15, line 15; and col. 7, lines 7-17 to assert that Theimar teaches "preparing a processing policy in which processes for communication requests are set for each of the users, the processes each in turn being

according to a first user from whom there is a request for communication with a second user, to a status of the second user with whom communication is requested, and to a content of the requested communication, the processing policy including an attribute-assigning policy setting a relationship between the first user requesting communication and the second user", as recited in independent claim 2. Applicants, however, respectfully disagree.

The passages of Theimar cited by the Office Action describe policy information for "RPC" (Remote Procedure Calls) requests, rather than communication requests. RPC requests are directed toward form of information delivery, for example causing a terminal to beep for an urgent message. *See* Theimar at col. 15, lines 17-25. Thus, Theimar is directed toward a method for selectively delivering electronic messages to an identified user or users in a system of mobile and fixed devices, based on the context of the system and the environment of the user. *See* Abstract.

In contrast, the communication requests in claim 2 of the present invention, are directed toward the content of the information. In a non-limiting example, the content of the information may include implied content based on the relationship between the requestor and the requestee. *See* claim 2, lines 9-10; Specification para. [0101]. Thus, the processing policies, as described in the passages of Theimar cited by the Office Action, are directed towards policies for RPC requests directed to form of communication, rather than content. For example, a policy which considers which terminal devices are accessible, what font they use and how an urgent message is announced. *See* Theimar at col. 14, line 43 – col. 15, line 4. In contrast to Theimar, according to the claimed invention, the processing policies in the present invention consider a relationship between the first user requesting communication and the second user.

Therefore, for the reasons stated above, Applicants respectfully submit that claim 2 patentably distinguishes over Theimar. Favorable reconsideration and a withdrawal of the rejection against claim 2 is respectfully requested.

Independent claims 3, 4, 9 and 12-22 recite features similar to those of independent claim 2. Thus, Applicants respectfully submit that claims 3, 4, 9 and 12-22 patentably distinguish over the prior art for reasons similar to independent claim 2. Accordingly, Applicants respectfully submit that claims 3, 4, 9 and 12-22, and those claims depending directly or indirectly therefrom, patentably distinguish over the prior art and are in condition for allowance. Favorable reconsideration and a withdrawal of the rejection against claims 3, 4, 6 and 9-22 is respectfully requested.

Claims 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theimer in view of U.S. Patent No. 5,943,478 to Aggarwal. All rejections are respectfully traversed.

Applicants respectfully submit that Aggarwal fails to cure the deficiencies of Theimer, noted above, with respect to independent claim 4, from which claims 7 and 8 depend. Thus, without conceding the propriety of the asserted combination, Applicants respectfully submit that Theimer and Aggarwal, taken alone or in combination, fail to teach or suggest all of the features of dependent claims 7 and 8. Accordingly, the combination of Theimer and Aggarwal is likewise deficient and, thus, claims 7 and 8 patentably distinguish over the prior art for at least the reasons set forth above and are in condition for allowance.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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